

**MINUTES OF SPECIAL MEETING
ILLINOIS GAMING BOARD
JULY 17, 1997
TELECONFERENCE**

A Special Meeting of the Illinois Gaming Board was held on July 17, 1997 in the conference room on the 3rd floor in the State of Illinois Building, Chicago, Illinois, pursuant to the Illinois Open Meetings Act, 5 ILCS 120.

The following Board members participated via telephonic conferencing: Chairman J. Thomas Johnson was present in the Gaming Board's office. Other members present via telephone: Members William B. Browder, Gayl S. Pyatt, Robert F. Vickrey and Byron G. Cudmore (joined the teleconference at 2:45 p.m.).

Also in attendance were: Administrator Michael A. Belletire, Deputy Administrator Joseph C. Haughey, Chief Legal Counsel Mareile' B. Cusack, Outside Legal Counsel William O'Connor, other members of the staff, the media, the general public and interested parties.

Chairman Johnson called the meeting to order at 2:10 p.m. Member Browder moved **that the Board retire to Closed Session pursuant to Section 2(c), paragraphs (1), (4), (11), (14) and (21) of the Open Meetings Act, to discuss pending litigation and matters involving probable litigation.** Member Pyatt seconded the motion. The Board adopted the motion by unanimous consent.

The Illinois Gaming Board reconvened in Open Session at 3:08 p.m.

Chairman Johnson reported that HP, Inc. filed a protest of the Board's action to deny renewal of its license. The Chairman announced the appointment of Michael Nash, Esq. as the Administrative Law Judge to hear the matter and make a recommendation to the Board.

The Board asked the Administrator to ask representatives of HP, Inc. to be present at the July 29, 1997 Board meeting. The Board asked that HP give a report of its intentions for operations after July 31. The Chairman explained that Illinois Administrative Law provides that a license remains in force until the administrative body (here, the Gaming Board) renders a final determination. He further explained that the protest filed by HP means that a final determination would not be made until the requested hearing has been completed.

Chairman Johnson reported that Empress Casino - Joliet filed a request to have an additional 21 days to file an answer to the Board's disciplinary actions that were issued at the June 24, 1997 Board meeting.

Member Pyatt moved **that the Board deny the motion filed on behalf of petitioners Robert Gardner, Jr., John Matravers, Viola Avants and Empress Casino Joliet**

Corporation to extend the time to answer or otherwise respond to the disciplinary complaints filed against them. Member Cudmore seconded the motion. The Board approved the motion unanimously by voice vote.

The Chairman asked the Administrator to advise Empress of the Board's decision. He further advised the audience that a request to amend an answer can be made any time after the filing date and that the Board has never objected to the filing of an amended complaint. The Chairman stated there is sufficient latitude for a licensee to amend its initial answer at a later date. He further noted that the Board is reluctant to authorize a request for an extension of time, as the rules of the Board make no provision for such an extension.

Chairman Johnson stated that the Board may convene a two day meeting on Monday, July 28 and Tuesday, July 29 with the Monday session tentatively scheduled for closed session discussion.

There being no further business to come before the Board, Member Vickrey moved **that the Board stand adjourned.** Member Pyatt seconded the motion. The motion was approved unanimously by voice vote and the Board adjourned at 3:15 p.m.

Respectfully Submitted,

Susan O. Weber
Secretary of the Board